

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAREN LEVIN, Individually and on Behalf of All Others
Similarly Situated,

No.: 1:15-cv-07081 (LLS)

Plaintiff,

vs.

**[PROPOSED] ORDER
APPOINTING LEAD PLAINTIFF
AND LEAD COUNSEL**

RESOURCE CAPITAL CORP., JONATHAN Z.
COHEN, DAVID J. BRYANT, and ELDRON C.
BLACKWELL,

Defendants.

CLASS ACTION

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[PROPOSED] ORDER

WHEREAS, the above-captioned securities class action has been filed against defendants Resource Capital Corp. and certain of its present and former officers and directors, alleging violations of the federal securities laws;

WHEREAS, pursuant to the Private Securities Litigation Reform Act of 1995 (“PSLRA”), 15 U.S.C. § 78u-4(a)(3)(A)(i), on September 9, 2015, Plaintiff in the above-captioned action caused notice to be issued to potential class members of the action and informed them of their right to move to serve as lead plaintiff within 60 days of the date of the issuance of said notice;

WHEREAS, on November 9, 2015, Plaintiff Charles Procopio (“Movant”), moved the Court to: (1) appoint himself as lead plaintiff; and (2) approve his selection of The Rosen Law Firm, P.A. as lead counsel; and

WHEREAS, the Court finding that Movant has the largest financial interest in this action and *prima facie* satisfies the typicality and adequacy requirements of Fed. R. Civ. P. 23. *See* 15 U.S.C. § 78u-4(a)(3)(B)(iii)(I).

IT IS HEREBY ORDERED THAT:

1. Pursuant to Section 21D(a)(3)(B) of the Exchange Act, 15 U.S.C. § 78u-4(a)(3)(B), Movant is appointed Lead Plaintiff for the class as he has the largest financial interest in this litigation and otherwise satisfies the requirements of Fed. R. Civ. P. 23.
2. Movant's choice of counsel is approved and accordingly, The Rosen Law Firm, P.A. is appointed Lead Counsel.
3. Lead Counsel, after being appointed by the Court, shall manage the prosecution of this litigation. Lead Counsel is to avoid duplicative or unproductive activities and are hereby vested by the Court with the responsibilities that include, without limitation, the following: (1) to prepare all pleadings; (2) to direct and coordinate the briefing and arguing of motions in accordance with the schedules set by the orders and rules of this Court; (3) to initiate and direct discovery; (4) prepare the case for trial; and (5) to engage in settlement negotiations on behalf of Lead Plaintiff and the Class.

SO ORDERED:

Dated _____, 2015

HONORABLE JUDGE LOUIS L. STANTON
UNITED STATES DISTRICT JUDGE